

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

JUXTACOMM TECHNOLOGIES, INC., )  
Plaintiff, )  
vs. )  
ASCENTIAL SOFTWARE ) Civil Action No. 2:07-CV-00359-LED  
CORPORATION et al., )  
Defendants. )

**ORDER OF DISMISSAL**

Before the Court is the Joint Motion for Dismissal of Plaintiff JuxtaComm Technologies, Inc.'s ("JuxtaComm") claims against Defendants International Business Machines Corporation and Ascential Software Corporation (collectively, "IBM") and IBM's counterclaims against Plaintiff JuxtaComm Technologies, Inc. The Court being of the opinion that said motion should be GRANTED, it is hereby ORDERED, ADJUDGED AND DECREED that all claims, counterclaims or causes of action asserted in this suit by and between JuxtaComm and IBM are hereby dismissed with prejudice.

It is further ORDERED that all costs, expenses and attorneys fees are to be borne by the party that incurred them.

**So ORDERED and SIGNED this 26th day of October, 2009.**

  
LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE